

## CHARTER DEFENSE HEALTH BOARD

- A. Official Designation: The Committee shall be known as the Defense Health Board (hereafter referred to as the Board).
- B. Objectives and Scope of Activities: The Board, under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), shall provide the Secretary of Defense, through the Assistant Secretary of Defense for Health Affairs and the Under Secretary of Defense for Personnel and Readiness, independent advice and recommendations on matters pertaining to operational programs, policy development, and research programs and requirements for the treatment and prevention of disease and injury, the promotion of health and the delivery of efficient, effective, and high quality health care services to Department of Defense beneficiaries.

The Under Secretary of Defense for Personnel and Readiness or designated representatives, unless otherwise directed by statute, may act upon the Board's advice and recommendations. Designated representatives shall be determined according to DoD policy.

- C. Board Membership: The Board shall be composed of not more than thirty members, who are eminent authorities within their respective disciplines related to clinical health care, disease and injury prevention, and health care delivery and administration. The Secretary of Defense, unless otherwise directed by statute, shall approve the appointment of all Board Members and Subcommittee Members, to include regular government employees.

Board Members and Subcommittee Members, who are not full-time or permanent part-time federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109, and serve as special government employees.

The appointment of Board Members and Subcommittee Members, unless otherwise directed by statute, shall be reviewed on an annual basis by the Secretary of Defense, and no Board Member or Subcommittee Member shall serve more than four years on the Board. Board Members and Subcommittee Members, unless otherwise directed by statute or as determined by the Secretary of Defense, shall, with the exception of travel and per diem for official travel, serve without compensation.

The Secretary of Defense may appoint regular government officers or employees as Board Members or Subcommittee Members depending upon the individual's qualification or position within the Department of Defense. Regular government employees, who serve on the Board due to their position within the Department of Defense, shall be exempt from annual renewal as long as the Secretary of Defense continues the ex officio status of that position on the Board.

The Secretary of Defense, based upon the recommendations of the Under Secretary of Defense for Personnel and Readiness or designated representatives, shall appoint the President of the Board from the Board membership. The Under Secretary of Defense for Personnel and Readiness, prior to his recommendation, may consult the Board membership. No Board Member shall serve more than two consecutive 2-year terms of service as Board President.

Regular government officers or employees who participate in the Department of Defense's decision making process for this Board are prohibited from serving as Board Members or Subcommittee Members.

- D. Board Meetings: The Board shall meet at the call of the Designated Federal Officer, in consultation with the Board President. The estimated number of Board meetings is six per year.

The Designated Federal Officer shall be a full-time or permanent part-time DoD employee, and shall be appointed according to established DoD policies and procedures. The Designated Federal Officer and/or Alternate Designated Federal Officer shall attend all Board and subcommittee meetings.

The Board shall be authorized to establish Subcommittees, as necessary and consistent with its mission, and these subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended), and other appropriate federal regulations.

Such Subcommittees or Working Groups shall not work independently of the chartered Board, and shall report their recommendations and advice to the Board for full deliberation and discussion. Subcommittees or Working Groups have no authority to make decisions on behalf of the chartered Board nor can they report directly to the Agency or any federal officers or employees who are not Board Members until the Board has deliberated the Subcommittee's or Working Group's recommendations and advice under the open-meeting provisions of the 5 U.S.C., Appendix and 5 U.S.C. § 552b.

- E. Duration and Termination of the Board: The need for this advisory function is on a continuing basis; however, it is subject to renewal every two years.
- F. Agency Support: The Department of Defense, through the Assistant Secretary of Defense for Health Affairs (Director, TRICARE Management Activity), shall provide support as deemed necessary for the performance of the Board's functions, and shall ensure compliance with the requirements of 5 U.S.C., Appendix. Additional information and assistance, as required, may be obtained from other DoD Components.
- G. Operating Costs: It is estimated that the annual operating costs, to include travel costs, consultant fees, and contract support, are \$2,800,000.00. The estimated annual personnel costs to the Department of Defense are 6.0 full-time equivalents (FTEs).
- H. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Records Schedule 26 and appropriate DoD policies and procedures. These records shall be available for public inspection and copying subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
- I. Charter Filed: November 10, 2008